

AMENDED IN SENATE JUNE 22, 2010

CALIFORNIA LEGISLATURE—2009—10 REGULAR SESSION

ASSEMBLY BILL

No. 1724

Introduced by Assembly Member Chesbro

(Principal coauthor: Senator Cox)

(Coauthor: Senator Aanestad)

February 3, 2010

An act to add ~~Section 42283.3~~ *Sections 42283.3 and 42283.4* to the Education Code, relating to necessary small schools, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

AB 1724, as amended, Chesbro. Necessary small schools: ~~Del Norte County Unified School District~~ *schools*.

(1) Existing law defines a necessary small school as an elementary school with an average daily attendance of less than 101, exclusive of pupils attending grades 7 and 8 of a junior high school, maintained by a school district that maintains 2 or more schools, that meets other criteria involving combinations of distance and average daily attendance. Existing law requires the county superintendent of schools to make computations for each elementary and secondary school district that has fewer than 2,501 units of second principal apportionment average daily attendance and maintains at least one school that meets the criteria for a necessary small school.

This bill would deem Gasquet Mountain Elementary School and Margaret Keating Elementary School to be necessary small schools and make the Del Norte County Unified School District eligible to receive apportionments for each school pursuant to its status as a necessary small school. *The bill also would deem Rail Road Flat Elementary*

School to be a necessary small school and make the Calaveras Unified School District eligible to receive apportionments for this school pursuant to its status as a necessary small school. This bill would provide that if the average daily attendance of either school any of these schools exceeds 100, then the school would no longer be eligible to receive apportionments as a necessary small school.

(2) This bill would make legislative findings and declarations as to the necessity of a special statute for the Del Norte County Unified School District *and the Calaveras Unified School District.*

(3) This bill would declare that it is to take effect immediately as an urgency statute.

Vote: $\frac{2}{3}$. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. (a) The Legislature finds and declares that the
2 Del Norte County Unified School District is considered to be a
3 large unified school district that serves pupils from a wide and
4 varied geographic area. Within these areas, Gasquet Mountain
5 Elementary School and Margaret Keating Elementary School each
6 have an average daily attendance of fewer than ~~one hundred~~ 100.
7 Pupils presently attending Gasquet Mountain Elementary School
8 and Margaret Keating Elementary School would have to travel
9 long distances over hazardous terrain in order to attend other
10 schools within the Del Norte County Unified School District.

11 (b) *The Legislature finds and declares that the Calaveras*
12 *Unified School District is considered to be a large unified school*
13 *district that serves pupils from a wide and varied geographic area.*
14 *Within these areas, Rail Road Flat Elementary School has an*
15 *average daily attendance of fewer than 100. Pupils presently*
16 *attending Rail Road Flat Elementary School would have to travel*
17 *long distances over hazardous terrain in order to attend other*
18 *schools within the Calaveras Unified School District.*

19 SEC. 2. Section 42283.3 is added to the Education Code, to
20 read:

21 42283.3. (a) Notwithstanding any other ~~provision of law~~, the
22 Gasquet Mountain Elementary School and the Margaret Keating
23 Elementary School each shall be deemed a necessary small school,
24 as defined in Section 42283. Notwithstanding any other ~~provision~~

of law, commencing with the 2010–11 fiscal year, the Del Norte County Unified School District shall receive apportionments for the Gasquet Mountain Elementary School and the Margaret Keating Elementary School pursuant to Section 42282.

(b) If the amount of average daily attendance of the Gasquet Mountain Elementary School or the Margaret Keating Elementary School exceeds 100, then that school shall no longer be entitled to receive apportionments as a necessary small school.

SEC. 3. Section 42283.4 is added to the Education Code, to read:

42283.4. (a) Notwithstanding any other law, the Rail Road Flat Elementary School shall be deemed a necessary small school, as defined in Section 42283. Notwithstanding any other law, commencing with the 2010–11 fiscal year, the Calaveras Unified School District shall receive apportionments for the Rail Road Flat Elementary School pursuant to Section 42282.

(b) If the amount of average daily attendance of the Rail Road Flat Elementary School exceeds 100, then that school shall no longer be entitled to receive apportionments as a necessary small school.

~~SEC. 3.~~

SEC. 4. The Legislature finds and declares that a special law is necessary and that a general law cannot be made applicable within the meaning of Section 16 of Article IV of the California Constitution because of the unique circumstances relating to the Del Norte County Unified School District *and the Calaveras Unified School District* as set forth in Section 1 of this act.

~~SEC. 4.~~

SEC. 5. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are:

In order to make necessary small school apportionments available to the Del Norte County Unified School District *and the Calaveras Unified School District* prior to the 2010–11 school year, it is necessary that this act take effect immediately.